



06 - 09-06

J. Brown

I hereby certify that this paper (along with any paper referred to as being attached hereto or enclosed) is being deposited with the U.S. Postal Service as Express Mail, Label No. EV756032808US, on the date shown below in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: June 7, 2006 Signature: *Laurie Brown*
(Laurie Brown)

Docket No.: 59628(70904)
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:
Sumito Nishioka et al.

Application No.: 10/625,709

Confirmation No.: 8383

Filed: July 22, 2003

Art Unit: 2627

For: OPTICAL PICKUP

Examiner: C. R. Lamb

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the requirement for an election of species set forth in the Office Action mailed April 13, 2006, Applicant hereby provisionally elects, without traverse, Species III, claims 3, 14, 15, 22-28, and 32-34, for continued examination, if no generic claims are finally held to be allowable.

Claims 1-51 are pending in the application. The Examiner has required restriction between Species I (Fig. 6, Fig. 33, Fig. 34, Fig. 35), Species II (Fig. 7, Fig. 30, Fig. 31, Fig. 32), Species III (Fig. 10, Fig. 11, Fig. 12, Fig. 22, Fig. 23, Fig. 24), Species IV (Fig. 9, Fig. 13, Fig. 14, Fig. 25, Fig. 26, Fig. 27), Species V (Fig. 15, Fig. 16, Fig. 37), and Species VI (Fig. 37, where the incident second beam is converging).

Dated: June 7, 2006

Respectfully submitted,

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